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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,498

Applicant(s)

SCOTT ET AL.

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 11-18, 21 and 31-38** are rejected under 35 U.S.C. 102(b) as being anticipated by Matsugana (US 5,751,960).

Regarding **claim 1**, Matsunaga discloses a message waiting alerting method (column 1, lines 11-15), (which reads on claimed “a method for providing a status notification and reply for a message in a communications network”) comprising:

(a) assigning a message identifier (column 9, line 32 “a user ID”) for the message (column 9, lines 31-35) [The user ID is the forward destination of an electronic mail system];

(b) receiving a destination identifier (column 10, line 13 “an ID”) for communicating at least one of the status notification (column 10, line 14 “a notifying operation”) and the reply (column 10, lines 13-15) [The mail processing unit has an ID for the notifying operation and a reply operation]; and

(c) associating the destination identifier (column 10, line 19 "the destination") with the message (column 10, lines 16-22) [The mail reply operation transmits to the user ID the destination of the electronic mail system].

Regarding **claims 11 and 31**, Matsunaga discloses the destination identifier comprises:

- an address identifier (column 9, lines 31-35); and
- a format identifier (column 9, lines 35-48).

Regarding **claims 12 and 32**, Matsugana discloses the address identifier comprises at least one of:

- an email address (column 9, lines 49-53).

Regarding **claims 13 and 33**, Matsugana discloses the format identifier comprises at least one of:

- a text format (column 9, lines 11-19).

Regarding **claims 14 and 34**, Matsugana discloses the communications network comprises at least one of:

- an electronic communications network (FIG. 1(A)).

Regarding **claims 15 and 35**, Matsunaga discloses the message identifier comprises at least one of:

a type identifier (column 10, lines 13-15).

Regarding **claims 16 and 36**, Matsunaga discloses the message identifier comprises at least one of:

a communication network identifier (column 10, lines 16-22).

Regarding **claims 17 and 37**, Matsunaga discloses the role identifier comprises at least one of:

a recipient (column 10, lines 16-22).

Regarding **claims 18 and 38**, Matsunaga discloses the party identifier comprises at least one of:

an email address (column 10, lines 16-22).

Regarding **claim 21**, Matsunaga discloses a message waiting alerting apparatus (column 1, lines 11-15), (which reads on claimed “a system to provide a status notification and reply for a message in a communications network”) comprising:

(a) a processor (32 on FIG. 5) to assign a message identifier (column 9, line 32 “a user ID”) for the message (column 9, lines 31-35) [The user ID is the forward destination of an electronic mail system];

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- (b) the processor further operative to receive a destination identifier (column 10, line 13 "an ID") for communicating the status notification (column 10, lines 13-15) [The mail processing unit has an ID for the reply operation]; and
- (c) the processor further operative to associate the destination identifier (column 10, line 19 "the destination") with the message (column 10, lines 16-22) [The mail reply operation transmits to the user ID the destination of the electronic mail system].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 2-4, 6-10, 19-20, 22-24 and 26-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Myslinski et al. (US 4,582,959).

Regarding **claims 2 and 22**, Matsunaga as applied to **claims 1 and 21** differ from **claims 2 and 22** in that it fails to disclose a disposition identifier.

However, Myslinski teaches:

(d) creating a disposition identifier in response to a disposition event (column 5, lines 10-15); and

(e) associating the disposition identifier with the message (column 5, lines 15-20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a disposition identifier of Myslinski in the invention of Matsunaga.

The modification of the invention would offer the capability of a disposition identifier such as the system would have the alternative for operation the messages.

Regarding **claims 3 and 23**, Matsunaga as applied to **claims 2 and 22** differ from **claims 3 and 23** in that it fails to disclose compiling the disposition identifier.

However, Myslinski teaches:

(f) compiling the disposition identifier and the message identifier to create the status notification in response to a triggering event (column 5, lines 21-41); and

(g) communicating the status notification in accordance with the destination identifier (column 5, lines 42-54).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use compiling the disposition identifier of Myslinski in the invention of Matsunaga.

The modification of the invention would offer the capability of compiling the disposition identifier such as the system would have the alternative for operation the messages.

Regarding **claims 4 and 24**, Matsunaga discloses:

- (h) receiving the reply (column 9, lines 62-66);
- (i) associating the reply with the message (column 9, lines 62-66); and
- (j) communicating the reply in accordance with the destination identifier (column 10 ,lines 5-12).

Regarding **claims 6 and 27**, Matsunaga as applied to **claims 2 and 22** differ from **claims 3 and 23** in that it fails to disclose the disposition event.

However, Myslinski teaches the disposition event comprises at least one of a dispatching event (column 5, lines 42-54).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the disposition event of Myslinski in the invention of Matsunaga.

The modification of the invention would offer the capability of the disposition event such as the system would have the alternative for operation the messages.

Regarding **claims 7 and 28**, Matsunaga discloses the managing event comprises at least one of:

accessing the message (column 5, lines 20-36).

Regarding **claims 8 and 29**, Matsunaga discloses the managing event comprises at least one of:

malfunctioning of the status notification of the message (column 11, lines 32-40).

Regarding **claims 9 and 30**, Matsunaga discloses the dispatching event comprises at least one of:

forwarding the message (column 10, lines 16-22).

Regarding **claims 10 and 26**, Matsunaga as applied to **claims 2 and 22** differ from **claims 3 and 23** in that it fails to disclose the disposition event.

However, Myslinski teaches the disposition event column 5, lines 21-41).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the disposition event of Myslinski in the invention of Matsunaga.

The modification of the invention would offer the capability of the disposition event such as the system would have the alternative for operation the messages.

Regarding **claims 19 and 39**, Matsunaga discloses storing an attribute for the status notification for the message (column 5, lines 20-27), wherein the attribute comprises at least one of:

the message identifier (column 5, lines 20-36).

Regarding **claims 20 and 40**, Matsunaga discloses the administrative functionality comprises at least one of:

forwarding the attribute (column 6, lines 4-25).

Regarding **claim 41**, Matsunaga discloses a data repository operative to store the attribute (column 5, lines 20-36).

Regarding **claim 42**, Matsunaga discloses the data repository comprises a database (column 5, lines 20-36).

Regarding **claim 43**, Matsunaga discloses the data repository comprises:
a first database for storing the message (1 on FIG. 3); and
a second database for storing the attribute (3 on FIG. 3).

6. **Claims 5 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Myslinski and in further view of Alcendor et al. (US 6,337,899).

Regarding **claims 5 and 25**, Matsunaga as applied to **claims 2 and 22** differ from **claims 3 and 23** in that it fails to disclose billing a party.

However, Alcendor teaches:

(k) billing a party to the message for the providing of the status notification (column 5, lines 40-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use billing a party of Alcendor in the invention of Matsunaga.

The modification of the invention would offer the capability of billing a party such as the system would have the alternative for operation the messages.

7. **Claims 44, 54-56 and 61-64** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Schull et al. (US 5,363,431).

Regarding **claim 44**, Matsunaga discloses a message waiting alerting apparatus (column 1, lines 11-15), (which reads on claimed “a system to provide a status notification and reply for a message”) operative to:

(a) assign a message identifier (column 10, line 13 “an ID”) for the message (column 9, lines 31-35) [The user ID is the forward destination of an electronic mail system];

(b) receive a destination identifier (column 10, line 19 “the destination”) for communicating a status notification (column 10, lines 13-15) [The mail processing unit has an ID for the reply operation]; and

(c) associate the destination identifier with the message (column 10, lines 16-22) [The mail reply operation transmits to the user ID the destination of the electronic mail system].

Matsunaga fails to disclose an advance intelligence network and a voicemail.

However, Schull teaches an advanced intelligence network (AIN) comprising an intelligent peripheral and a voicemail (column 8, lines 61-67).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an advance intelligence network and a voicemail of Schull in the invention of Matsunaga.

The modification of the invention would offer the capability of an advance intelligence network and a voicemail such as the system would have the alternative for operation the messages.

Regarding **claim 54**, Matsunaga discloses the destination identifier comprises:
an address identifier (column 9, lines 31-35); and
a format identifier (column 9, lines 35-48).

Regarding **claim 55**, Matsugana discloses the address identifier comprises at least one of:

an email address (column 9, lines 49-53).

Regarding **claim 56**, Matsugana discloses the format identifier comprises at least one of:

a text format(column 9, lines 11-19).

Regarding **claim 61**, Matsunaga discloses the message identifier comprises at least one of:

a type identifier(column 10, lines 13-15).

Regarding **claim 62**, Matsunaga discloses the message identifier comprises at least one of:

a communication network identifier (column 10, lines 16-22).

Regarding **claim 63**, Matsunaga discloses the role identifier comprises at least one of:

a recipient (column 10, lines 16-22).

Regarding **claim 64**, Matsunaga discloses the party identifier comprises at least one of:

an email address (column 10, lines 16-22).

8. **Claims 45-47, 49-53 and 65-66** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Schull and in further view of Myslinski.

Regarding **claim 45**, Matsunaga and Schull as applied to **claim 44** differ from **claim 45** in that it fails to disclose a disposition identifier.

However, Myslinski teaches the intelligent peripheral is further operative to:

(d) create a disposition identifier in response to a disposition event (column 5, lines 10-15); and

(e) assign the disposition identifier to the message (column 5, lines 15-20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a disposition identifier of Myslinski in the invention of Matsunaga and Schull.

The modification of the invention would offer the capability of a disposition identifier such as the system would have the alternative for operation the messages.

Regarding **claim 46**, Matsunaga Schull and Myslinski as applied to **claim 45** differ from **claim 46** in that it fails to disclose a disposition identifier.

However, Myslinski teaches the intelligent peripheral is further operative to:

- (f) compile the disposition identifier and the message identifier to create the status notification in response to a triggering event (column 5, lines 21-41); and
- (g) communicate the status notification in accordance with the destination identifier (column 5, lines 42-54).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a disposition identifier of Myslinski in the invention.

The modification of the invention would offer the capability of a disposition identifier such as the system would have the alternative for operation the messages.

Regarding **claim 47**, Matsunaga discloses the intelligent peripheral is further operative to:

- (h) receive the reply (column 9, lines 62-66);
- (i) associate the reply with the message (column 9, lines 62-66); and

(j) communicate the reply in accordance with the destination identifier
(column 10 ,lines 5-12).

Regarding **claim 49**, Matsunaga Schull and Myslinski as applied to **claim 46**
differ from **claim 49** in that it fails to disclose a disposition identifier.

However, Myslinski teaches the triggering event comprises at least one of:
a disposition event (column 5, lines 42-54).

It would have been obvious to one of the ordinary skill in the art at the time the
invention was made to use a disposition identifier of Myslinski in the invention.

The modification of the invention would offer the capability of a disposition
identifier such as the system would have the alternative for operation the messages.

Regarding **claim 50**, Matsunaga Schull and Myslinski as applied to **claim 49**
differ from **claim 50** in that it fails to disclose a disposition identifier.

However, Myslinski teaches the disposition event comprises at least one of
a managing event (column 5, lines 42-54).

It would have been obvious to one of the ordinary skill in the art at the time the
invention was made to use a disposition identifier of Myslinski in the invention.

The modification of the invention would offer the capability of a disposition
identifier such as the system would have the alternative for operation the messages.

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Regarding **claim 51**, Matsunaga discloses the managing event comprises at least one of:

accessing the message (column 5, lines 20-36).

Regarding **claim 52**, Matsunaga discloses the managing event comprises at least one of:

malfunctioning of the status notification of the message (column 11, lines 32-40).

Regarding **claim 53**, Matsunaga discloses the dispatching event comprises at least one of:

forwarding the message (column 10, lines 16-22).

Regarding **claim 65**, Matsunaga discloses the intelligent peripheral further operative for storing an attribute for the status notification for the message, wherein the attribute comprises at least one of:

the message identifier (column 5, lines 20-36).

Regarding **claim 66**, Matsunaga discloses a service management system functionally connected to the intelligent peripheral, operative to perform administrative functionality comprising at least one of:

forwarding the attribute (column 6, lines 4-25).

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9. **Claim 48** is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Schull, in view of Myslinski and in further view of Alcendor.

Regarding **claim 48**, Matsunaga Schull and Myslinski as applied to **claim 49** differ from **claim 50** in that it fails to disclose billing a party.

However, Alcendor teaches the intelligent peripheral is further operative to:

(k) bill a party to the message for the providing of the status notification (column 5, lines 40-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use billing a party of Alcendor in the invention Matsunaga Schull and Myslinski.

The modification of the invention would offer the capability of billing a party such as the system would have the alternative for operation the messages.

10. **Claims 57 and 59** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Schull and in further view of Alcendor.

Regarding **claim 57**, Matsunaga and Schull as applied to **claim 44** differ from **claim 57** in that it fails to disclose a service switching point and an interface.

However, Alcendor teaches a service switching point functionally connected to the intelligent peripheral (103 on FIG. 1); and

an interface functionally connected to a service switching point and operative to accept communications from a second communications network (201 on FIG. 1).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a service switching point and an interface of Alcendor in the invention Matsunaga and Schull.

The modification of the invention would offer the capability of a service switching point and an interface such as the system would have the alternative for operation the messages.

Regarding **claim 59**, Matsunaga discloses a computer network functionally connected to the interface and operative to facilitate the status notification and reply directed to a computer network client device (1 on FIG. 4 (A)).

11. **Claims 58 and 60** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga in view of Schull, in view of Alcendor and in further view of Skladman et al. (US 6,498,835).

Regarding **claim 58**, Matsunaga, Schull and Alcendor as applied to **claim 57** differ from **claim 58** in that it fails to disclose a mobile telephone switching office.

However, Skladman teaches a mobile telephone switching office (MTSO) functionally connected to the interface and operative to facilitate the status notification and reply directed to a cellular device (58 on FIG. 1a).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a mobile telephone switching office of Skladman in the invention Matsunaga, Schull and Alcendor.

The modification of the invention would offer the capability of a mobile telephone switching office such as the system would have the alternative for operation the messages.

Regarding **claim 60**, Matsunaga, Schull and Alcendor as applied to **claim 57** differ from **claim 60** in that it fails to disclose a personal digital assistant.

However, Skladman teaches a personal digital assistant communications network functionally connected to the interface and operative to facilitate the status notification and reply directed to a personal digital assistant (60 on FIG. 1a).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a personal digital assistant of Skladman in the invention Matsunaga, Schull and Alcendor.

The modification of the invention would offer the capability of a personal digital assistant such as the system would have the alternative for operation the messages.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Detering et al. is cited for a message-waiting indicator in a computer-integrated telephony (FIG. 1).

Shaffer et al. is cited for a system for message notification in a multimedia messaging system (FIG. 1).


Quinn is cited for an automatic notification of receipt of electronic mail (FIG. 1).

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13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
March 10, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

